

When It Comes to Tort Reform for Mississippi Businesses... Put a “Cork” in It!

**Governor Haley Barbour
Rankin First Luncheon
April 20, 2004**

- **Job Creation Obstacle** I knew lawsuit abuse in Mississippi was a problem, but I had no idea how bad a problem it was until I became Governor. Job creation is my number one goal, but the biggest obstacle standing in my way when I talk to economic development prospects is Mississippi's reputation for lawsuit abuse. And, unfortunately, that reputation matches with reality.
- I've had business leaders tell me that they will put us back on their short list if we would just address tort reform. In other words, I have got to have this arrow in my quiver if MDA Director Leland Speed and I are going to be successful in

recruiting industrial prospects to Rankin County and the rest of Mississippi.

- **More Tort Reform Now** Mississippi got a little tort reform in 1993. And we got a little in the Special Session of 2002. However, a little is not going to do it anymore. I want tort reform to be done this year so we can get on with the business of creating jobs.
- **The Barbour Bill** What our bill addresses is: venue, joinder, joint and several liability, innocent sellers and landowners, caps on punitive and non-economic damages. This is comprehensive tort reform.
- **Thank Senate** The Senate has passed our tort reform package thanks to the leadership of Lt. Governor Amy Tuck and the bill's sponsor, Rankin County's own Senator Charlie Ross.
- **House is the Problem** Our problem, however, is in the House. Half of the House

members co-sponsored our tort reform bill, but the Speaker and the Judiciary Committee Chairman, Representative Ed Blackmon, won't let the members vote on it.

- **The Clarion-Ledger?** The Speaker and the Chairman seem to be the only two people left in Mississippi who don't want tort reform. Heck, even *The Clarion-Ledger* wants tort reform. This is what they said this morning: "The best course would be an up-or-down (tort reform) vote in the House...Blackmon should not use his power to single-handedly block a vote." Let me tell you something - when Haley Barbour and *The Clarion-Ledger* agree on anything...the planets must be aligned.
- **Crown Cork** The House *has* found one tort reform measure they like. The only problem is it's just for one company. The House passed a measure that would provide lawsuit protection for a Pennsylvania-based company that operates an aluminum soft drink can plant in Batesville

and employs 250 people – Crown Cork and Seal. They have been under the threat of millions in asbestos litigation claims for years due to a subsidiary they purchased. The company is on the brink of bankruptcy due to the lawsuits. As of Dec. 31, the company had paid \$500 million in asbestos claims that were not even caused by the company.

- **Sign or Veto?** The House passed a bill to protect them from further lawsuits and the Senate passed the bill as well. I brought it for you to see – HB 1517. Today is the deadline for me to sign it, veto it or let it become law without my signature.
- **Why Just One?** I am glad the House saw the need to pass tort reform. My problem is they did it for just one company. Why can't every business in Mississippi get this type of tort reform? If it is good enough for a Pennsylvania company, why isn't it good enough for Mississippi companies – like those here in

Rankin County? If we are going to help save 250 in Batesville, what about the 700 other Mississippi businesses around the state who employ 250 people or more? What about our small businesses – aren't they just as threatened by lawsuit abuse?

- **Interesting Quotes** Several members of the House, who have been against tort reform, had some interesting things to say about why they voted for tort reform for just Crown Cork. Rep. Leonard Morris said: *"It is an economic development bill to retain jobs."* I couldn't agree more. But what about retaining jobs everywhere else? Rep. Percy Watson said: *"I consider it to be economic development tailored to one company facing severe financial challenges with lawsuits."* I couldn't agree more. But does he realize that every business in Mississippi is one

lawsuit away from bankruptcy? I would call that a “severe financial challenge” wouldn’t you?

- **Sign Bill** I am going to sign this bill right now, because I want to save 250 jobs in Panola County. But I do it with a request. We need all of you to contact Speaker McCoy and Chairman Blackmon and ask them for the same lawsuit abuse protection for your job.

- **Call to Action** When you call, just tell them that when it comes to tort reform for Mississippi businesses...Put a “Cork” in it! I think they’ll understand that.